

ALLISON J. CHEUNG, CSBN 244651
Special Assistant United States Attorney
160 Spear Street, Suite 800
San Francisco, California 94105
Telephone: (510) 970-4811
Facsimile: (415) 744-0134
E-Mail: allison.cheung@ssa.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES HART,
Plaintiff,

V.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,¹
Defendant.

Case No.: 2:21-cv-01326-BNW

**STIPULATION TO VOLUNTARY
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g) AND TO
ENTRY OF JUDGMENT FOR
PLAINTIFF**

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four.

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 a new hearing and new decision.

2 The parties further request that the Clerk of the Court be directed to enter a final judgment in
3 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

4
5 Dated: November 9, 2021

Respectfully submitted,

6 OF COUNSEL, OLINSKY LAW GROUP

7 /s/ Hal Taylor

8 HAL TAYLOR

(*as authorized via email on November 8, 2021)

9 Attorney for Plaintiff

10 Dated: November 9, 2021

Respectfully submitted,

11 CHRISTOPHER CHIOU

12 Acting United States Attorney

13 /s/ Allison J. Cheung

14 ALLISON J. CHEUNG

15 Special Assistant United States Attorney

16 Attorneys for Defendant

17
18 IT IS SO ORDERED:

19 

20 HON. BRENDA N. WEKSLER

21 UNITED STATES MAGISTRATE JUDGE

22 DATED: 11/10/2021

CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 160 Spear Street, Suite 800, San Francisco, California 94105. I am not a party to the above-entitled action. On the date set forth below, I caused service of **STIPULATION TO VOLUNTARY REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g) AND TO ENTRY OF JUDGMENT FOR PLAINTIFF** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

Hal Taylor
haltaylorlawyer@gbis.com
Attorney for Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 9, 2021

/s/ Allison J. Cheung
ALLISON J. CHEUNG
Special Assistant United States Attorney